

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

LAWRENCE W. MOON, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:05-CV-102
	)	
ALBERTO GONZALES, UNITED	)	
STATES ATTORNEY GENERAL,	)	
DEPARTMENT OF JUSTICE,	)	
	)	
Defendant.	)	

**ORDER**

For the reasons stated in the memorandum opinion filed contemporaneously with this order, “Defendant’s Motion to Dismiss Counts II and III of the Complaint or, in the Alternative, for Summary Judgment” [doc. 22] is **GRANTED IN PART** and **DENIED IN PART**.

The motion is **GRANTED** as to plaintiff’s claim under the Rehabilitation Act, Count II of the complaint, and that claim is **DISMISSED**. The motion is **DENIED** as to Count III of the complaint; plaintiff’s Title VII retaliation claim shall proceed to trial.

“Defendant’s Motion for Summary Judgment on Count I of the Complaint”  
[doc. 74] is **DENIED**. Plaintiff’s claim under the Age Discrimination in Employment Act  
shall proceed to trial.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge